

REMARKS

Interview Summary

Applicants thank the Examiner for the courtesy of the interviews conducted with Applicants' representative, Ms. Kristal on August 6 (in-person) and August 11, 2008 (telephonic). During these interviews, claim rejections over Niederauer and potential claim amendments were discussed. Applicants' representative noted that Niederauer does not describe or suggest a unitary and continuous ceramic structure having interconnected porosity throughout and a second component comprising a polymer infiltrated in the ceramic structure.

Pending Rejection and Claim Amendments

The Examiner has rejected claims 1, 8-11, 37 and 49-53 under 35 U.S.C. §102 as being anticipated by Niederauer (WO 01/32072).

Applicant respectfully requests that this rejection be withdrawn.

As amended, each of Applicants' independent claims recites a unitary and continuous ceramic structure having interconnected porosity throughout and a second component comprising a polymer infiltrated in the ceramic structure. Applicants respectfully submit that this structure is neither disclosed nor suggested by Niederauer.

As discussed during the interview, Niederauer discloses mixing particles of a biodegradable polymer with particles of a biodegradable ceramic. (Niederauer, e.g., page 9, paragraph 2.) The ceramic is not in the form of a unitary and continuous structure having interconnected porosity.

Therefore, the Applicant submits that the rejected claims are patentable over Niederauer.

Conclusion

It is believed that all claims are now in condition for allowance, which is respectfully requested.

Applicant : David Farrar, et al.
Serial No. : 10/645,962
Filed : August 22, 2003
Page : 6 of 6

Attorney's Docket No.: 00167-0482001 / PT-2683-US-
NP

This amendment is being filed with a Request for Continued Examination. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: August 13, 2008

Phyllis Kintal Reg. No. 38,524
Celia/H. Leber
Reg/ No. 33,524

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (877) 769-7945

22001256.doc